

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	CHAPTER 7
	)	
TZEW HOLDCO LLC, <i>et al.</i> , <sup>1</sup>	)	CASE NO. 20-10910 (KBO)
	)	(Jointly Administered)
Debtor.	)	
	)	
JEOFFREY L. BURTCH, Chapter 7	)	ADV. CASE NO. 22-50255 (KBO)
Trustee,	)	
	)	<b>Related Docket No. ____</b>
Plaintiff,	)	
v.	)	
	)	
TYLER ZACHEM, an individual,	)	
DAVID BASTO, an individual,	)	
JOHN OVERBAY, an individual,	)	
JOHN MALLOY, an individual,	)	
JEFFREY FRIENT, an individual,	)	
MICHAEL SHORT, an individual,	)	
DAVID TOLMIE, an individual, and	)	
JEFFREY DANE, an individual,	)	
	)	
Defendants.	)	

**[PROPOSED] ORDER GRANTING PLAINTIFF’S MOTION  
TO WITHDRAW THE REFERENCE**

**THIS MATTER** came before the Court on the Plaintiff’s Motion to Withdraw Reference of this Adversary Proceeding to the District Court Pursuant to 28 U.S.C. § 157 Based Upon Jury Trial Demand (the “Motion”) [D.I. \_\_\_\_]. In the Motion, Plaintiff Jeoffrey L. Burtch, Chapter 7

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<sup>1</sup> The Debtors in these Chapter 7 cases, along with the last four digits of each entity’s federal tax identification number and respective bankruptcy case numbers, are: (i) TZEW Holdco LLC (0252), 20-10910 (KBO); (ii) PP Group, LLC f/k/a Apex Parks Group, LLC d/b/a TZEW, LLC (5579), 20-10911 (KBO); (iii) PP Property Holdings, LLC f/k/a Apex Real Property Holdings, LLC (1013), 20-10912 (KBO); (iv) PP Parks Beverage Company, LLC f/k/a Speedzone Beverage company, LLC (2339), 20-10913 (KBO); (v) PP Parks Holdings, LLC f/k/a Speedzone Holdings, LLC (7913), 20-10914 (KBO); (vi) PP Parks Management, LLC f/k/a Speedzone Management, LLC (2937), 20-10915 (KBO); and (vii) TZEW Intermediate Corp d/b/a TZEW Corp. (1058), 20-10916 (KBO).

Trustee of the estates of the above-captioned Debtors, pursuant to 28 U.S.C. § 157(d) and Bankruptcy Court Local Rule 5011-1 seeks a withdrawal of the reference to conduct a jury trial, with all pre-trial matters to be heard and decided by the District Court. Upon consideration of the relevant pleadings, it is

HEREBY ORDERED as follows:

1. The Motion is GRANTED.
2. Pursuant to 28 U.S.C. § 157, the mandatory reference of Adversary Proceeding No. 22-50255 (KBO) is withdrawn for purposes of a jury trial only when the case is trial ready, with the reference to the Bankruptcy Court to remain intact for all pre-trial matters, including case dispositive motions.
3. The Bankruptcy Court shall submit proposed findings of fact and conclusions of law to the District Court for *de novo* review and entry of any final order or judgment pursuant to 28 U.S.C. § 157(c)(1).
4. When the case is trial ready, the parties shall jointly file a notice with the District Court advising it of such, along with their request for the District Court to conduct the jury trial as permitted under this Order.

Dated: \_\_\_\_\_  
Wilmington, Delaware

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE